

EEOC Form 5 (11/09)

<b>CHARGE OF DISCRIMINATION</b> This form is affected by the Privacy Act of 1974. See enclosed Privacy Act Statement and other information before completing this form.		Charge Presented To: <input type="checkbox"/> FEPA <input checked="" type="checkbox"/> EEOC		Agency(ies) Charge No(s): <div style="font-size: 1.2em; margin-top: 10px;">490-2021-01716</div>	
and EEOC					
State or local Agency, if any					
Name (Indicate Mr., Ms., Mrs.) <b>Ms. Leyzenda Michelle Gunn</b>			Home Phone (Incl. Area Code) <div style="background-color: black; width: 100px; height: 20px;"></div>		Date of Birth <div style="background-color: black; width: 100px; height: 20px;"></div>
Street Address <div style="background-color: black; width: 150px; height: 20px;"></div>		City, State and ZIP Code <b>Okolona, Mississippi 38860</b>			
Named is the Employer, Labor Organization, Employment Agency, Apprenticeship Committee, or State or Local Government Agency That I Believe Discriminated Against Me or Others. (If more than two are named, list under PARTICULARS below.)					
Name <b>United Furniture Industries, Inc.</b>			No. Employees, Members <b>15+</b>		Phone No. (Incl. Area Code) <b>(662) 447-4000</b>
Street Address <b>5380 Highway 145 South</b>		City, State and ZIP Code <b>Tupelo, Mississippi 38801</b>			
Name 			No. Employees, Members 		Phone No. (Incl. Area Code) 
Street Address 		City, State and ZIP Code 			
DISCRIMINATION BASED ON (Check appropriate box(es).) <div style="display: flex; flex-wrap: wrap; padding: 5px;"> <div style="width: 33%;"><input type="checkbox"/> RACE</div> <div style="width: 33%;"><input type="checkbox"/> COLOR</div> <div style="width: 33%;"><input type="checkbox"/> SEX</div> <div style="width: 33%;"><input type="checkbox"/> RELIGION</div> <div style="width: 33%;"><input type="checkbox"/> NATIONAL ORIGIN</div> <div style="width: 33%;"><input type="checkbox"/> RETALIATION</div> <div style="width: 33%;"><input type="checkbox"/> AGE</div> <div style="width: 33%;"><input checked="" type="checkbox"/> DISABILITY</div> <div style="width: 33%;"><input type="checkbox"/> GENETIC INFORMATION</div> <div style="width: 33%;"><input type="checkbox"/> OTHER (Specify)</div> </div>					DATE(S) DISCRIMINATION TOOK PLACE Earliest _____ Latest <b>1/15/2021</b>  <input type="checkbox"/> CONTINUING ACTION
THE PARTICULARS ARE (If additional paper is needed, attach extra sheet(s)):					
<p>I was employed by the Respondent for over twenty (20) years. I was a supervisor at the Nettleton facility. However, I also performed supervisory duties at three (3) other plants as needed. Sometimes when I performed these supervisory duties, I did them off-site. I was capable of doing my duties off-site. I had been off on two (2) occasions for knee surgeries and was allowed to perform my duties off-site for those previous surgeries.</p> <p>In the spring of 2020, I suffered a non-work-related injury to my left heel, which ultimately required surgery on May 12, 2020. My injury substantially affected my everyday life activities, specifically my ability to walk. I was unable to put any weight on my heel for sometime and there was a lengthy recovery process. During my recovery, the plant manager repeatedly assured me that he needed me for the job, and that I was going to be brought back to work when I recovered from my injury. In November 2020, he stated that he wanted to bring me back and allow me to work while sitting. The personnel department, however, apparently disallowed the decision for me to return to work and perform my job while sitting. This was a reasonable accommodation, which the personnel department refused. The personnel department stated that I would have to be fully recovered before I could return to work.</p> <p>On January 6, 2021, I had another conversation with the plant manager in which he again reassured me that I was going to be brought back to work, and that the company really needed me. Nevertheless, on January 15, 2021, a coworker told me that I was being replaced by a lead person. This lead person does not have any disability. I called the personnel department, who confirmed that I would not be allowed to return to work because I was not completely recovered.</p> <p>I believe the Respondent discriminated against me on grounds of my disability, my record of having a disability, and failure to make a reasonable accommodation. The Respondent could have made a reasonable accommodation either by allowing me to sit while working, as was discussed with the plant manager in November 2020, or by allowing me to work from home, as I had done during my previous knee surgeries. I request the EEOC to investigate to determine whether I have been the victim of discrimination in violation of the Americans with Disabilities Act.</p>					
I want this charge filed with both the EEOC and the State or local Agency, if any. I will advise the agencies if I change my address or phone number and I will cooperate fully with them in the processing of my charge in accordance with their procedures.			NOTICE - When necessary for State or Local Agency Requirements		
I declare under penalty of perjury that the above is true and correct.			I swear or affirm that I have read the above charge and that it is true to the best of my knowledge, information and belief. SIGNATURE OF COMPLAINANT  <div style="border-top: 1px solid black; width: 100%;"></div>		
<div style="display: flex; align-items: center;"> <div style="text-align: center; margin-right: 20px;"> <div style="font-size: 1.2em; margin: 0;">6/18/2021</div> <div style="font-size: 0.8em; margin: 0;">Date</div> </div> <div style="text-align: center;"> <div style="font-size: 1.2em; margin: 0;">Michelle Gunn</div> <div style="font-size: 0.8em; margin: 0;">Charging Party Signature</div> </div> </div>			<div style="display: flex; justify-content: space-between; align-items: center;"> <div style="font-size: 0.8em;">           SUBSCRIBED AND SWORN TO BEFORE ME THIS DATE            (month, day, year)         </div> <div style="text-align: center;"> <div style="font-size: 1.5em; border: 2px solid black; padding: 5px; transform: rotate(-2deg);">RECEIVED</div> <div style="margin-top: 10px; font-size: 1.1em;">JUN 21 2021</div> </div> </div>		

EXHIBIT "A"

 U.S. EEOC  
 Memphis District Office  
 Memphis, TN